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Date of Signature and Deposit: 9/27/2005

Steven J. Wietrzny, Reg. No. 44,402

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: William C. Kuru, et al.
Application No.: 10/678,362
Filed: October 3, 2003
For: TOILETS WITH QUICK FLUSH TRAPWAYS
Group Art Unit: 3751
Examiner: Charles E. Phillips
Confirmation No.: 4012
Atty. Docket No.: 870572.00002

RESPONSE TO FINAL OFFICE ACTION

MS AF
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the final Office action mailed July 28, 2005, in which claims 1-18 were rejected under the non-statutory, judicially created doctrine of double patenting over claims 2-9 of copending Application No. 10/347,740.

Applicants submit herewith the enclosed terminal disclaimer under 37 C.F.R. § 1.321(c). As stated and qualified therein, Applicants disclaim the terminal part of the statutory term of any patent granted on this application which would extend beyond the expiration date of the full statutory term of any patent granted on the pending reference Application No. 10/347,740. The enclosed terminal disclaimer avoids the provisional double patenting rejection, and it is believed that the application is in allowable condition.

Applicants authorize the Commissioner to charge the \$130.00 fee for submission of the terminal disclaimer to Deposit Account No. 17-0055. No other fees are believed due for consideration of this response, however, please charge any fees deemed necessary to the above account.

Respectfully submitted,

Steven J. Wietrzny
Reg. No. 44,402
Quarles & Brady LLP
411 East Wisconsin Avenue
Milwaukee, WI 53202-4497
(414) 277-5415